

REMARKS

Specification

By the Office Action dated December 9, 2008, the Examiner has objected to the Specification. Specifically, the Examiner stated that

[t]o ensure proper consideration and to the extent required by 37 CFR 1.56, applicant is required to supply a copy of the publication reference cited in the specification because it is not readily available to the examiner (e.g. see page 2, lines 12-18, page 5, lines 10-31, page 6, lines 1-2).

(See Office Action, page 2, paragraph 3.) Applicants had amended the Specification in Applicants Response filed March 9, 2009. Thus, the publication references mentioned by the Examiner in the present Office Action are no longer part of the present Application. In addition, since pending claim 23 does not mention OSGi or Java JAX-RPC, as described in paragraph [0004] (i.e., page 2, lines 12-18) of the Application as filed, paragraph [0031] (i.e., page 5, lines 14-21) of the Application as filed, or paragraph [0034] (i.e., page 5, lines 27 to page 6, line 5) of the Application as filed, the publication references mentioned by the Examiner are not material to the patentability of claim 23 or of the Application as filed. Thus, Applicants respectfully submit that the Specification, as amended in the Response filed March 9, 2009, complies with the requirements of the MPEP and 37 CFR.

Cancelled Claims 1 and 6

In this Amendment, Applicants have cancelled claims 1 and 6 from further consideration in this application. Applicant is not conceding that the subject matter encompassed by claims 1 and 6, prior to this Amendment is not patentable over the art cited by the Examiner. Claims 1 and 6 were cancelled in this Amendment solely to facilitate expeditious prosecution of the present Application by the Examiner. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1 and 6 as presented prior to this Amendment and additional claims in one or more continuing applications.

Conclusion

It is therefore clear that claim 23 complies with the requirements of 35 U.S.C. §§ 101, 102, 103, and 112. The application is therefore in condition for allowance. Early notification to that effect is respectfully solicited.

In the event that any issue remains unresolved, the Examiner is invited to telephone
5 the undersigned at 408-927-3377.

Respectfully Submitted,

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